



## **Arizona State Board of Dispensing Opticians**

**1400 West Washington, Suite 230**

**Phoenix, Arizona 85007**

**(602) 542-3095**

### **AMENDED NOTICE AND AGENDA OF REGULAR MEETING OF THE ARIZONA STATE BOARD OF DISPENSING OPTICIANS**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Board of Dispensing Opticians (Board) and to the general public that the Board will hold a regular meeting open to the public on:

**Wednesday, May 6, 2009, at 10:30 a.m.**

**1400 West Washington**

**Conference Room B-1**

**Phoenix, Arizona 85007**

Title 2 of the Americans with Disability Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation by calling Lori D. Scott, Executive Director, at the Board office at 602-542-3095. Requests should be made as early as possible (preferably at least 72 hours prior to the scheduled time) to allow time to arrange the accommodation.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A) (3). The executive session will be held immediately after the vote and will not be open to the public.

The agenda is subject to change up to 24 hours prior to the meeting. The Board Chairperson reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

### **AMENDED AGENDA**

**The Agenda for the meeting is as follows:**

- I. Call to Order and Roll Call**
- II. Declaration of Conflicts of Interest**
- III. Review, Discussion and Approval of Minutes**

March 4, 2009 Board Meeting Minutes

April 1, 2009 Board Meeting Minutes

**IV. Agency Operations (Review, Discussion and Possible Action)**

- A. Director's Report
  - 1. Budget Update
  - 2. Regulatory Review Plan (Moratorium)
  - 3. Renewal Notices
- B. Consideration for Contracted Investigator Position(s)
  - 1. James McClafferty – Lic. No. 579i
  - 2. Paul Benedetti – Lic. No. 534i

**V. Possible Violations (Review, Discussion and Possible Action)**

(Upon a vote of the majority of a quorum, the Board may go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(2) to review and discuss records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.)

- A. Buying Glasses On-line – Possible Unlicensed Activity
- B. March/April Establishment Inspections – (See Attached List, 1-176)
- C. Advertising Violations – (See Attached List, 1-42)
- D. Liquid Eyewear (Yuma, AZ) – Possible Unlicensed Activity
- E. LensCrafters #3216 (Lic No. 1013e) – Lack of Full-Time Optician

**VI. 1-800-Contacts (Review, Discussion and Possible Action)**

Update on status of Registration as out-of-state dispenser with Optometry Board

**VII. Nationwide Vision (Review, Discussion and Possible Action)**

Update on status of applications for establishment licenses

**VIII. License Applications (Review, Discussion and Possible Action)**

(Upon a vote of the majority of a quorum, the Board may go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(2) to review and discuss records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.)

- A. Scott Helkaa – Comity – Florida/Nevada

**IX. Future Meeting Dates (Review and Discussion)**

- A. June 3, 2009
- B. July 1, 2009

**X. Future Agenda Items (Review and Discussion)**

A. Exam review committee meeting

**XI. Call to the Public**

The Board may make an open call to the public during the meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. Those wishing to address the Board should fill out a speaker request form. Pursuant to A.R.S. § 38-431.01 (H), members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, the Board may ask staff to review a matter or may ask that a matter be placed on a future agenda.

**XII. Adjournment**